

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2011-095003

05/08/2013

HONORABLE BOYD W. DUNN

CLERK OF THE COURT
C. Towles
Deputy

IN RE THE MARRIAGE OF
JEFF ADRIAN BIDDLE

JEFF ADRIAN BIDDLE

AND

MARY CATHERINE BIDDLE

C COLE BASTIAN

DAVID WEINSTOCK PHD
8350 E RAINTREE DR STE 120
SCOTTSDALE AZ 85260

MINUTE ENTRY

Courtroom 206-SEA

1:36 p.m. This is the time set for Telephonic Status Conference. Petitioner/Father is present telephonically on his own behalf. Respondent/Mother is not present but is represented by above-named counsel. Court-Appointed Behavioral Health Professional, Dr. David Weinstock, appears telephonically.

A record of the proceeding is made by audio and/or videotape in lieu of a court reporter.

Discussion is held regarding the status of the case, the scope of the limited family assessment and Father's parenting time.

With respect to the limited assessment,

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IT IS ORDERED that the Evaluator shall assess Father's mental health and stability; make recommendations with regards to mental health needs, including additional treatment if appropriate.

IT IS FURTHER ORDERED that the Evaluator shall assess the allegations regarding Mother's boyfriend/significant other and whether there are concerns about domestic violence, the potential impact on the children, and Mother's decision-making and continuing relationship with the individual.

Both parties agree that they should share a 5-2-2-5 parenting time schedule if Father is stabilized.

IT IS ORDERED that the Evaluator shall make recommendations as to whether supervision of Father's parenting time is appropriate and any additional recommendations with regard to supervision.

IT IS FURTHER ORDERED that the Evaluator shall consider data provided by Father that Father believes is connected to concerns about Mother's mental health and, if appropriate, the Evaluator shall ask the Court to expand his scope to include an assessment of Mother's mental health. The Court instructs Father to present data applicable specifically to Mother's individual mental health, as opposed to behaviors connected to a high conflict divorce.

LET THE RECORD REFLECT that counsel for Mother agrees that if Dr. Weinstock believes that the data has been provided to him that raises concerns about Mother's mental health, Dr. Weinstock may move forward with a mental health assessment of Mother without a further order from the Court.

Further discussion is held regarding Father's parenting time and the supervision thereof.

THE COURT FINDS that the Court granted to Father unsupervised parenting time on April 4, 2013, on an unsupervised basis dependent that an assessment would be initiated. Mother is taking a guarded position in the meantime regarding any parenting time granted beyond the Court's current orders by requiring supervision.

IT IS ORDERED affirming the current orders regarding Father's parenting time. IF during the course of the evaluation Dr. Weinstock forms an opinion as to whether Father's parenting time requires supervision, he shall immediately notify the Court so that clarification can be provided on this issue.

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IT IS FURTHER ORDERED setting this cause for **Evidentiary Hearing** on **January 16, 2014 from 9:00 a.m. to 12:00 p.m. and 2:00 p.m. to 5:00 p.m.** before:

The Honorable Boyd W. Dunn
Southeast Judicial District
Courtroom 206
222 East Javelina Avenue
Mesa, Arizona 85210

Time Allotted: 6 hours

IT IS FURTHER ORDERED all discovery and disclosure shall be completed by **December 17, 2013**.

A **Joint Pre-Hearing Statement** shall be filed pursuant to Rule 6.8(b), Local Rules of Maricopa County (Domestic Relations Proceedings) no later than **January 9, 2014**. If the parties want to make an opening statement, it may be included in the Pre-Hearing Statement. In addition, each party shall attach to the Pre-Hearing Statement:

1. An updated affidavit of the current financial circumstances pursuant to Rule 6.7, Local Rules of Maricopa County.
2. A Child Support Worksheet completed pursuant to the Statewide Child Support Guidelines. If a jointly prepared Worksheet is not filed, each party shall file a completed Child Support Worksheet.

Objections and pretrial motions not filed by **January 2, 2014**, will be deemed waived. Postponements will be granted only in accordance with appropriate rules.

Failure of counsel or of any party to present a Pre-Hearing Statement in proper form including each and every attachment required shall, in the absence of good cause shown, result in the imposition of any or all available sanctions pursuant to Local Rule 6.2(e).

If this matter is settled and will proceed in the manner of a default, you may contact this division for an expedited hearing date.

Counsel are advised that if the presentation of evidence does not allow for closing arguments, the Court will direct the parties to submit written closing arguments. If time allows for closing arguments, the Court may hear closing arguments at that time.

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IT IS FURTHER ORDERED that no less than five (5) business days prior to the Hearing, the parties and, if represented, counsel shall provide to the clerk of this division any exhibits they shall seek to admit into evidence. **All exhibits must be clearly identified, separated by a COLORED sheet and hand delivered to the Clerk of this Division no later than 12:00 p.m. on January 9, 2014. All exhibits shall be hand-delivered directly to court staff at this Division's suite.** Exhibits shall not be presented for marking that have not been previously exchanged. No duplicate exhibits shall be presented for marking. **Failure to obey these orders may result in exclusion of the exhibit and/or waiver of objections.**

IF EITHER PARTY FAILS TO APPEAR FOR THE HEARING, THE HEARING MAY NEVERTHELESS PROCEED, AND RELIEF MAY BE ENTERED IN FAVOR OF THE PARTY WHO HAS APPEARED.

IF BOTH PARTIES FAIL TO APPEAR, THE HEARING MAY BE VACATED AND/OR THE ACTION MAY BE DISMISSED.

NOTE: All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this Division **five (5) court business days** before the scheduled hearing.

NOTICE: A child should not be brought to the Courthouse to be present during a court proceeding except in the circumstance that the child is to be interviewed by the Judge in chambers or unless the child's presence is otherwise required for the court proceeding. Whenever a child is brought to the Courthouse, it is the responsibility of the party who brings the child to arrange for appropriate care and supervision of the child outside of the courtroom and judicial offices. The duties of Court personnel do not permit them to perform this function.

NOTICE

You may request conclusions of fact and law on the following issues, if they are contested: the issues of child custody, relocation requests, spousal maintenance, community property, community debt, and child support. To request conclusions of fact and law, you must file a written request with the court before the trial or the evidentiary hearing. If you make a written request before the trial or evidentiary hearing, the court will make conclusions of fact and law as part of the final decision.

If any party asks the court to make findings of fact and law on any issue, each party must file written proposed findings of fact and law on those issues. The proposed findings also must

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be submitted in an electronic form that is editable, preferably Microsoft Word. The proposed findings must be submitted with the Pretrial Statement.

2:14 p.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.